

MAY 05 2006

PTO/SB/21 (02-04)

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FORM

(To be used for all correspondence after initial filing)

Total Number of Pages In This Submission

12

Application Number	10/763,810
Filing Date	01/23/2004
First Named Inventor	BAMDAD, Cynthia C.
Art Unit	1641
Examiner Name	DAVIS, DEBORAH A

Attorney Docket Number M1015.70054US01

ENCLOSURES (Check all that apply)

- Fee Transmittal Form
 Fee Attached
 Amendment/Reply
 After Final
 Affidavits/declaration(s)
 Extension of Time Request
 Express Abandonment Request
 Information Disclosure Statement
 Certified Copy of Priority Document(s)
 Response to Missing Parts/Incomplete Application
 Response to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
 Licensing-related Papers
 Petition
 Petition to Convert to a Provisional Application
 Power of Attorney, Revocation
 Change of Correspondence Address
 Terminal Disclaimer
 Request for Refund
 CD. Number of CD(s) _____

- After Allowance communication to Technology Center (TC)
 Appeal Communication to Board of Appeals and Interferences
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) (please identify below):

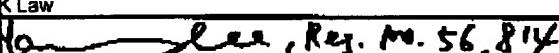
Please see Remarks below.

Remarks

1. Submission of Revocation and Power of Attorney and Reply to Notice Regarding Power of Attorney (3p);
2. Copy of Notice regarding Power of Attorney dated 09/16/2005 (1p);
3. Copy of Decision according Status under 37 CFR 1.47(a) (2p);
4. Copy of Declaration for Patent Application originally filed 11/29/2004 (3p); and
5. Copy of Revocation and Power of Attorney originally filed 09/01/2005 (2p).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or individual name	Joseph Hyosuk Kim, Ph.D. Reg. No. 41,425 JHK Law
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Signature	
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Date	May 5, 2006
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CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Harry Sung Lee
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Signature		Date	May 5, 2006
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent
M1015.70050US02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Cynthia C. Barndad) Group Art Unit: 1641
Serial No.: 10/763,810)
Filed: 01/23/2004) Examiner: DAVIS, DEBORAH A
For: DETECTION OF BINDING SPECIES WITH COLLOIDAL AND NON-COLLOIDAL STRUCTURES) Confirmation No.: 5010)

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF REVOCATION AND POWER OF ATTORNEY AND
REPLY TO NOTICE REGARDING POWER OF ATTORNEY

Sir:

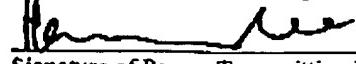
Applicants have filed a Revocation and Power Attorney with the Patent Office on September 1, 2005 to update the attorney information and correspondence address for the above-identified application. However, it appears that a Notice regarding Power of Attorney dated September 16, 2005 has been sent to the previous attorney for Applicants who is still listed as an attorney of record in connection with the above-identified application. The Notice

CERTIFICATE OF TRANSMISSION
(37 C.F.R. § 1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted to (571) 273-8300 by facsimile to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Harry Lee
Name of Person Transmitting Paper

May 5, 2006
Date of Transmission


Signature of Person Transmitting Paper

Serial No.: 10/913,150

Patent
M1015.70050US02

indicates that the Power of Attorney filed on September 1, 2005 has not been accepted because the signature of Shoshana Bamdad Shendelman, a co-inventor in this application, has been omitted.

Applicants submit that one of the two (2) inventors, Shoshana Bamdad Shendelman, has refused to sign the declaration. Accordingly, a petition has been filed with the Patent Office on December 2, 2004 and the petition has been granted as indicated in the enclosed copy of the letter dated March 25, 2005, which has been received from the Office of Petitions. Therefore, it is believed that the signature of Shoshana Bamdad Shendelman is not required in the Revocation and Power of Attorney filed September 1, 2005.

Accordingly, although the signature of Shoshana Bamdad Shendelman is omitted in the enclosed copy of the Revocation and Power of Attorney, please enter the Power of Attorney in connection with the above-identified application and send all future communications regarding this application to the new attorney's address shown below.

In addition to a copy of the Revocation and Power of Attorney originally filed on September 1, 2005, copies of the following documents are also enclosed for reference: Notice regarding Power of Attorney dated September 16, 2005, Granted Petition letter from the Office of Petitions dated March 25, 2005, and Declaration for Patent Application, filed November 29, 2004.

The Commissioner is authorized to charge Deposit Account 502486 for any fees due to secure entry of this amendment to the extent necessary.

Serial No.: 10/913,150

Patent
M1015.70050US02

May 5, 2006

Respectfully submitted,

Joseph Hyosuk Kim, Reg. No. 56,814

Joseph Hyosuk Kim, Ph. D.
Registration No. 41,425

JHK Law
P.O. Box 1078
La Canada, CA 91012-1078
Telephone: 818-249-8177
Facsimile: 818-249-8277



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UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/763,810	01/23/2004	Cynthia C. Bamdad	M1015.70054US01

Timothy J. Oyer, Ph.D
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210

CONFIRMATION NO. 5010



"OC000000017039614"

Date Mailed: 09/16/2005

NOTICE REGARDING POWER OF ATTORNEY

This is in response to the Power of Attorney filed 09/06/2005. The Power of Attorney in this application is not accepted for the reason(s) listed below:

- The signature(s) of Shoshana Bamdad Shendelman, a co-inventor in this application, has been omitted. The Power of Attorney will be entered upon receipt of confirmation signed by said co-inventor.

M. Stephanos
MENBE STEPHANOS
PTOSS 0-

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Timothy J. Oyer, Ph.D.
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210

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OFFICE OF PETITIONS

DECISION ACCORDING
STATUS UNDER 37 CFR 1.47(a)

In re Application of
Bamdad et al.
Application No. 10/763,810
Filed: January 23, 2004
Attorney Docket No. M1015.70054US01
For: Detection of Binding Species With
Colloidal and Non-Colloidal Structures

This is a decision on the petition under 37 CFR 1.47(a), filed December 2, 2004.

The petition is granted.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The Office of Initial Patent Examination will be informed of the instant decision.

Telephone inquiries concerning this decision should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley
Charles Steven Brantley
Petitions Attorney
Office of Petitions

Confirmation Docketing	Initials <i>Brantley</i>
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03/30/05

FJO



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Shoshana Bamdad Shendelman
 275 West 96th
 Apt 18F
 New York, NY 10025

In re Application of
 Bamdad et al.
 Application No. 10/763,810
 Filed: January 23, 2004
 Attorney Docket No. M1015.70054US01
 For: Detection of Binding Species With
 Colloidal and Non-Colloidal Structures

Ms. Shendelman:

You are named as a joint inventor in the above identified United States patent application.

Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you, or a registered patent attorney or agent on your behalf, have the right to obtain copies of any papers which are part of the file wrapper. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703)308-9726 or 1(800)972-6382 (outside the Washington D.C. area).

General requests for information regarding the application should be directed to the File Information Unit at (703)308-2733.

Telephone inquiries regarding this communication may be directed to Petitions Attorney Steven Brantley at (571) 272-3203.

Charles Steven Brantley
 Petitions Attorney
 Office of Petitions

cc: Timothy J. Oyer, Ph.D.
 Wolf, Greenfield & Sacks, P.C.
 600 Atlantic Avenue
 Boston, MA 02210

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DOCKET NO.: M1015.70054US01

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe the named inventor(s) to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

DETECTION OF BINDING SPECIES WITH COLLOIDAL AND NON-COLLOIDAL STRUCTURES

the specification of which:

- [] is attached hereto;
- was filed on January 23, 2004, as United States Application No. 10/763,810, Confirmation No. 5010, bearing Docket No. M1015.70054US01.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §§119(a)-(d) or (f) and/or 35 U.S.C. §365(a) or (b) of any foreign application(s) for patent, PCT international application(s) designating at least one country other than the United States, inventor's certificate, or application(s) for plant breeder's rights listed below, and have also identified below any foreign application for patent, PCT international application, inventor's certificate and applications for plant breeder's rights having a filing date before that of the application on which priority is claimed:

US01/44964 (Number)	PCT (Country if PCT, so indicate)	01/11/01 (DD/MM/YYYY Filed)	Priority Claimed	Certified Copy Attached?			
			YES [X]	NO []	YES []	NO [X]	

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/745,035
(Application Number) November 1, 2000
(Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or 35 U.S.C. §365(c) of any PCT International application(s) designating the United States of America listed below. I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56 which

816117.1

Serial No.: 10/763,810
Declaration for Patent Application

Page 2

became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Non-Provisional Application(s)

10/427,688 (Application No.)	May 1, 2003 (filing date)	Abandoned (status-patented, pending, abandoned)
---------------------------------	------------------------------	--

The undersigned hereby appoints the following attorney(s) and/or agent(s) to prosecute this application and all related divisional, continuing, substitute, renewal, reissue, re-exam, and to conduct all business in the Patent and Trademark Office connected therewith:

Practitioners associated with Wolf, Greenfield & Sacks, P.C.'s Customer Number: 23628

Direct all correspondence to the above-mentioned customer number

Address all telephone calls to Timothy J. Oyer, Ph.D. at telephone no. (617) 646-8000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature

Full name of first or joint inventor: Cynthia C. Barndad
Citizenship: United States of America
Residence: 356 Marlborough Street, #2
Boston, MA 02116
Post Office Address: 356 Marlborough Street, #2
Boston, MA 02116

Date

Nov 29, 2004

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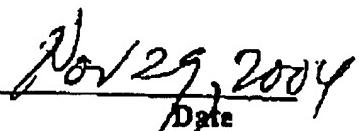
PAGE 9/12 * RCVD AT 5/5/2006 8:52:50 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/16 * DNIS:2738300 * CSID:8182498277 * DURATION (mm:ss):02:56

Serial No.: 10/763,810
Declaration for Patent Application

Page 3


Cynthia C. Bamdad, Joint Inventor,
on behalf of non-signing inventor
Shoshana Bamdad Shendelman

Date



Full name of second joint inventor: Shoshana Bamdad Shendelman

Citizenship: United States of America

Residence: 275 West 96th, Apt. 18F

New York, NY 10025

Post Office Address: 275 West 96th, Apt. 18F
New York, NY 10025

816117.1

PAGE 10/12 * RCVD AT 5/5/2006 8:52:50 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-2/16 * DNI:2738300 * CSID:8182498277 * DURATION (mm:ss):02:56

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PAGE 11/12

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PATENT
M1015-70054 US01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

) Group Art Unit: 1645

Cynthia C. Bamdad et al.

) Examiner: N/A

Serial No.: 10/763,810

) Confirmation No.: 5010

Filed: 1/23/2004

)

For: DETECTION OF BINDING SPECIES WITH
COLLOIDAL AND NON-COLLOIDAL STRUCTURES

)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REVOCATION AND POWER OF ATTORNEY

Sir:

Cynthia C. Bamdad and Shoshana Bamdad Shendelman, the inventors of record for the above-identified application hereby revoke all prior Powers of Attorney and appoint:

Joseph Hyosuk Kim, Reg. No. 41,425 and

Harry Sung Lee, Reg. No. 56,814

whose address is:

JHK Law
P. O. Box 1078
La Canada, CA 91012-1078
U.S.A.

as their attorneys to prosecute the within application and to transact in connection therewith all business in the U.S. Patent and Trademark Office in connection therewith and before competent International Authorities.

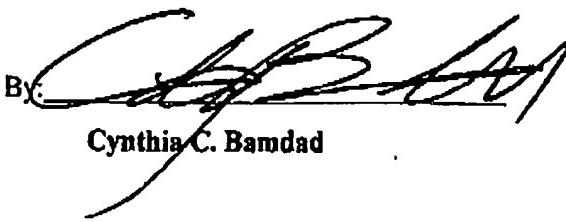
Serial No.10/763,810

PATENT
M101S-70054 US01

Dated:

9/1/05

By:


Cynthia C. Bamdad

Dated:

By:


Shoshana Bamdad Shendelman